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TO:	PHONE #:	FAX #:
Examiner Gailene Gabel		(703) 308-4242

From : Michael A. Whittaker
Email Address : mwhittaker@foleylaw.com
Sender's Direct Dial : 858.847.6721
Date : November 1, 2002
Client/Matter No. : 071949-5301
Application No.: 09/835,298
User ID No : 0093

MESSAGE:

Transmitted herewith for filing in the above application is a Response to Restriction Requirement and Request For Interference.

If there are any problems with this transmission or if you have not received all of the pages, please call .

Operator:	Time Sent:	Return Original To: Line S. Gauthier
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Docket No.: 071949-5301
Patent**Advancement of examination is requested
in accordance with MPEP § 708.01(F)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dahlen et al.

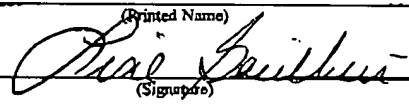
Serial No.: 09/835,298

Filed: April 13, 2001

Title: Use of B-type Natriuretic Peptide as a
Prognostic Indicator in Acute Coronary
Syndromes

Examiner: Gailene Gabel

Art Unit: 1641

CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (703- 309-4242) on the date below. <u>Line Gauthier</u> (Printed Name)  (Signature) <u>November 1, 2002</u> (Date of Deposit)

TRANSMITTALCommissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment


Dear Sir:

Transmitted herewith is a Response to Restriction Requirement and Request for Interference
for filing in the above-identified application.

Although Applicant believes that no fee is required for this response, the Commissioner is
hereby authorized to charge any additional fees which may be required for this Request to Deposit
Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated
below.

Dated: November 1, 2002

FOLEY & LARDNER
P.O. Box 80278
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Facsimile: (858)-792-6773
Telephone: (858) 847-6700By: 
For Richard J. Warburg,
Michael A. Whittaker
Registration No. 46,230

Docket No. 071949-5301

Patent

#9/B
11-12-02
W

Advancement of examination is requested
in accordance with MPEP § 708.01(F)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dahlen et al.

Serial No.: 09/835,298

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**RESPONSE TO RESTRICTION REQUIREMENT AND
REQUEST FOR AN INTERFERENCE**

Commissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment

Dear Sir:

In response to the Office Action mailed October 21, 2002 ("Paper No. 8"), please enter the following amendments and consider the following remarks.

IN THE CLAIMS

Please cancel claims 9 and 19 without prejudice to their future prosecution. Please enter the following new claims. For the convenience of the Examiner, a clean set of pending claims is provided herewith as Appendix A.

23. (New) A method for predicting cardiac mortality rate in a patient, comprising:

drawing a sample of a body fluid from a patient;

contacting said sample with a first antibody that specifically binds to a first marker